

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LEVON BROOKS

PLAINTIFF

V.

CIVIL ACTION NO. 3:13-cv-901-HTW-LRA

**DR. STEVEN TIMOTHY HAYNE
AND DR. MICHAEL H. WEST**

DEFENDANTS

ORDER

Before the court are two motions for extension of time [docket no. 46 and 48]. In those motions, defendant Dr. Steven Timothy Hayne ("Dr. Hayne") asks for additional time to file an answer to the amended complaint and to file his motion to dismiss. This court previously created an expedited briefing schedule in hopes of expeditiously resolving this matter. The court, however, recognizes that counsel for the defendant had previously scheduled matters which posed a conflict. Inasmuch as both the answer and the motion to dismiss have been filed, the motions for extension of time are granted.

Furthermore, the court denies the motion to strike [docket no. 53] Dr. Hayne's motion to dismiss. The plaintiff filed the motion to strike after Dr. Hayne failed to file his motion to dismiss during the time period set forth in the expedited briefing schedule. This court, however, has granted Dr. Hayne's motions to extend time. Further, the plaintiff has not argued that he suffered any prejudice as a result of the delay.

Therefore, this court grants the motions for extension of time [docket nos. 48 and 48] and denies the motion to strike [docket no. 53].

SO ORDERED AND ADJUDGED, this, the 12th day of August, 2014.

s/ HENRY T. WINGATE
UNITED STATES DISTRICT JUDGE